



**State of Vermont**  
**Natural Resources Board**  
**Act 250 Jurisdictional Opinion**  
**JO-7-282**

This is a Jurisdictional Opinion based upon available information and a written request from the Landowner/Agent or Other Person identified below. This Jurisdictional Opinion will become final and any person or entity who is individually notified will be bound by this Opinion unless that person or entity files a timely request for reconsideration (see bottom of page). This Jurisdictional Opinion addresses Act 250 Jurisdiction only. Other permits may be required (see <http://www.anr.state.vt.us/dec/permits.htm>). For additional information, please contact the Agency of Natural Resources permit specialist (see <http://www.anr.state.vt.us/dec/ead/pa/index.htm>).

☒ I hereby request a jurisdictional opinion from the District Coordinator regarding the jurisdiction of 10 V.S.A. Chapter 151 (Act 250) over the project described below:

☐ Landowner    ☐ Agent    ☒ Other:

Jonathan Ashley, P.E.  
 DuBois & King, Inc.  
 25 Union Street, Brandon, VT 05733  
[jashley@dubois-king.com](mailto:jashley@dubois-king.com)

**PROJECT DESCRIPTION:**

The Peacham Fire District No. 1 municipal water system serves Peacham Corner, and is currently supplied by two drilled wells and a spring on Mack Mountain Road. Existing cast iron water main service connections, valves, and flushing hydrants were installed in 1927. The project includes replacement of  $\pm 2,700$  feet of cast iron watermain with  $\pm 2,830$  feet of C900 PVC water main; service connections; valves; and flushing hydrants, as well as additional valves and distribution meters. The Fire District is also considering the following improvements on Mack Mountain Road: add stand by power capabilities for the control building; add automated chlorine residual testing; add remote control/monitoring of water levels within the reservoir tanks; add overflow safety features to both reservoir tanks; add a potable water service to the control building; provide a more effective finish water sampling method that can be flushed for sanitation and sampling purposes; and evaluate an alternate discharge location for water to drain from the control building floor drain.

Project Type:    ☐ Commercial    ☐ Subdivision    ☒ Municipal/State    ☐ Mixed  
                          ☐ Farming/Forestry    ☐ Housing    ☐ Other: \_\_\_\_\_

Has the landowner or affiliated person subdivided before?    ☐ Yes    ☐ No    ☒ N/A

**AN ACT 250 PERMIT IS REQUIRED:**    ☐ YES    ☒ NO

**BASIS FOR DECISION:** The project is not a "development" pursuant to 10 V.S.A. §6001(3)(A)(v).

SIGNATURE: \_\_\_\_\_  
 Kirsten Sultan, Coordinator, District #7 Environmental Commission  
 Telephone: (802) 751-0126 Email: [kirsten.sultan@vermont.gov](mailto:kirsten.sultan@vermont.gov)  
 374 Emerson Falls Road, Suite 4, St. Johnsbury, VT 05819

DATE: April 23, 2018

*This is a jurisdictional opinion issued pursuant to 10 V.S.A. § 6007(c) and Act 250 Rule 3(B). Reconsideration requests are governed by Act 250 Rule 3(B) and should be directed to the district coordinator at the above address. As of May 31, 2016, with the passage of Senate Bill 123 (Act number pending), Act 250 Rule 3(C) (Reconsideration by the Board) is no longer in effect. Instead, any appeal of this decision must be filed with the Superior Court, Environmental Division (32 Cherry Street, 2<sup>nd</sup> Floor, Ste. 303, Burlington, VT 05401) within 30 days of the date the decision was issued, pursuant to 10 V.S.A. Chapter 220. The Notice of Appeal must comply with the Vermont Rules for Environmental Court Proceedings (VRECP). The appellant must file with the Notice of Appeal the entry fee required by 32 V.S.A. § 1431 and the 5% surcharge required by 32 V.S.A. § 1434a(a), which is \$262.50. The appellant also must serve a copy of the Notice of Appeal on the Natural Resources Board, National Life Records Center Building, Montpelier, VT 05620-3201, and on other parties in accordance with Rule 5(b)(4)(B) of the Vermont Rules for Environmental Court Proceedings.*